

City Council Agenda

Council President

Mike Dages

Councilmembers

**Tom Boyajian
Brian Calhoun
Jerry Duncan
City Manager
Daniel G. Hobbs**

**City Clerk
Rebecca E.
Klisch, CMC**

**Henry T. Perea
Cynthia Sterling
Larry Westerlund
City Attorney
Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

January 25, 2005

If you would like to speak fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on (www.ci.fresno.ca.us). The Council meeting can also be heard live at the same web site address, and viewed live on Cable Channel 96 from 8:30 a.m. – 4:30 p.m. and Channel 14 beginning at 8:30 p.m.

8:30 A.M. ROLL CALL

Invocation by Father Keith Axberg of the Holy Family Episcopal Church

Pledge of Allegiance to the Flag

Ceremonial Presentations:

Resolution of Commendation to Chris Torres and Gerardo Quinteros Morales – Council President Dages and the Fire Dept.

Proclamation of "MARY SAVALA DAY" For Her Service to the San Joaquin Conservancy – Councilmember Calhoun

Proclamations to District 2 Pinedale – Councilmember Calhoun

Proclamation of "PRINCIPAL MAO MISTY HER DAY" – Councilmember Perea

1. Recognition Awards to Student in District 7– Councilmember Perea

Presentation of P.R.I.D.E. Team Certificates for the Winter Quarter – Reception immediately following – 2nd floor foyer

Council action on unscheduled items if any shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council there will first be a staff presentation followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve minutes of January 11, 2005

Action Taken:

Councilmembers Reports and Comments

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

1. **GENERAL CONSENT CALENDAR**

(All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered at 2:00 p.m.)

- A. Approve Cooperative Agreement No. 06-1234 with the California Department of Transportation for improvements associated with relinquishment of Kings Canyon Road from Chestnut to Clovis Avenues – Public Works Dept.

Action Taken:

1. **RESOLUTION** - Authorizing the Public Works Director or his designee to sign the Cooperative Agreement No. 06-1234 with the State of California Department of Transportation on behalf of the City of Fresno

Action Taken:

- B. **RESOLUTION** - Of intention to annex Final Tract No. 5321 to the City of Fresno Community Facilities District 2, Annexation No. 79 – Public Works Dept.

Action Taken:

- C. Approve Revised Three-Year Underground Utility District Plan – Public Works Dept.

Action Taken:

- D. Approve Amendment No. 2 to On-Demand Agreement for Professional Consulting Services with Blair, Church, and Flynn to provide professional civil engineering consulting services for the Department of Airports – Airports Dept.

Action Taken:

- E. Approve Amendment No. 2 to On-Demand Agreement for Professional Consulting Services with Integrated Designs to provide professional architectural consulting services for the Department of Airports

Action Taken:

1. **GENERAL CONSENT CALENDAR CONTINUED**

- F. Subject to City Attorney approval, approve and authorize the Director of Public Utilities to enter into a Cost Reimbursement Agreement with the State Center Community College District (SCCCD) for the construction of a portion of the water supply pipeline from the Friant-Kern canal to the surface water treatment facility – Dept. of Public Utilities
Action Taken:
1. * **RESOLUTION** – 57th amendment to AAR No. 2004-209 appropriating \$1,063,500 for the purpose of funding the construction of a portion of water supply pipeline from the Friant-Kern Canal to the surface water treatment facility **(Requires 5 affirmative votes)**
Action Taken:
- G. Submission for informational purposes of the Comprehensive Annual Financial Reports (“CAFR”) regarding the financial activities of the City of Fresno Retirement Systems for the fiscal year ending June 30, 2004 – Retirement Office
Action Taken:
- H. * Award a contract to W.M. Lyles Company of Fresno for Whitesbridge sewer connections at Marks and West Avenues – General Services Dept./Public Works Dept.
Action Taken:
- I. * Award a requirements contract to Myers Brothers Well Drilling of Hanford, California to drill new water production wells – General Services Dept./Dept. of Public Utilities
Action Taken:
- J. * Award a contract to Lane Electric, Inc. of Fresno for field lighting upgrades at City parks, Phase I – General Services Dept./Public Works Dept.
Action Taken:
- K. **RESOLUTION** - Authorizing certain Finance Officers of the City of Fresno to sign City Checks and various investment and commercial banking documents, and to provide verbal instruction as required for the prudent financial administration and safekeeping of City funds – Finance Dept.
Action Taken:
- L. Approve a Memorandum of Understanding (MOU) with the Kings River Conservation District and other public agencies to assess the feasibility of forming a Community Choice Aggregation Program – Dept. of Public Utilities
Action Taken:
- M. Recommend approval of a Home Investment Partnership (HOME) Program Agreement between the City of Fresno and Geneva Village, L.P. in the amount of \$1.5 million for the construction of a 142-unit affordable rental housing development in Southwest Fresno – Planning and Development Dept.
Action Taken:
- N. * **RESOLUTION** – 16th amendment to PAR No. 2004-210 adding twelve (12) Firefighter positions to the department beginning February 14, 2005 through June 30, 2005, for a total of 4.5 full-time equivalents – Fire Dept.
Action Taken:
- O. * **RESOLUTION** - 42nd amendment to AAR No. 2004-209 transferring \$300,000 from the design work for the repair & maintenance facility project to the design work for Station 16 and the Station at Marks and Belmont **(Requires 5 affirmative votes)** – Fire Department
Action Taken:
1. Authorize staff to negotiate and enter into a Professional Services Agreement with RRM Design Group to design Station 16 and the Station at Marks and Belmont
Action Taken:

1. **GENERAL CONSENT CALENDAR CONTINUED**

- P. **RESOLUTION** - Authorizing application to the California Integrated Waste Management Board for the Redesignation of a Market Development Zone (RMDZ) – Dept. of Public Utilities

Action Taken:

- Q. Subject to issuance of a Conditional Use Permit (CUP), approve and authorize the Director of Public Utilities to enter into a five (5) Year Lease Agreement with the California Home for the Aged allowing the City to construct and operate a groundwater recharge basin – Dept. of Public Utilities

Action Taken:

- R. **RESOLUTION** - Authorizing the Public Works Director or his designee to sign a specific project agreement with the Fresno County Transportation Authority for the construction of a frontage road from the Hughes-West Diagonal to Marks Avenue – Public Works Dept.

Action Taken:

- S. **BILL – (For introduction)** – Amending Chapter 10, Article 1601 of the Fresno Municipal Code to adopt changes and additions to the official list of special speed zones designating speed limits for various streets within the City of Fresno – Public Works Dept.

Action Taken:

2. **GENERAL ADMINISTRATION**

- A. Approve appointment of a member representing the City of Fresno to the Fresno County Transportation Authority - City Clerk's Office

Action Taken:

- B. Direction regarding sign ordinance revisions – Planning and Development Dept.

Action Taken:

- C. * Request Council approve the selection of and award a contract to Ace Parking Services, Inc., to provide parking facilities management services in downtown Fresno – Public Works Dept.

Action Taken:

3. **CITY COUNCIL**

- A. Establish a Budget Council Committee to work with the Budget Division regarding the FY 2005-2006 budget – Council President Dages

Action Taken:

- B. Request presentation and information from City Manager on the new performance-based pay for Managers as outlined and requested in the staff report – Councilmember Calhoun

Action Taken:

- C. Request to reconsider the Council action taken on December 21, 2004, relating to Granite Park – Councilmember Boyajian

Action Taken:

1. Consider rescinding Resolution No. 2004-479 - Approving an Economic Development Agreement between the City of Fresno and the Zone Sports Center, LLC, and the Granite Park Kid's Foundation relating to forty-two (42) acre retail complex and adjacent sports field; and approving the primary terms of a contingent purchase agreement between the City of Fresno and Bank of the West, relating to the sports field; authorizing the execution and delivery of the agreements and documents and taking of all necessary action relating to the transactions

Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS

9:30A.M.

PUBLIC COMMENT PERIOD – No Council action except to place on future agenda. Presentation limited to three (3) minutes:

A. SCHEDULED COMMUNICATION

- B. UNSCHEDULED COMMUNICATION** – Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least ten (10) days prior to the desired date.

9:45 A.M. – 10:00 A.M. RECESS

10:00 A.M. **CONTINUED HEARING** regarding Community Facilities District No. 2, Annexation No. 85, Parcel Map No. 03-24 – Public Works Dept.

Action Taken:

- a. **RESOLUTION** – Annexing territory to Community Facilities District No. 2, Annexation No.85, Parcel Map No. 03-24
Action Taken:
- b. **RESOLUTION** – Calling a special mailed-ballot election
Action Taken:
- c. **RESOLUTION** – Declaring election results
Action Taken:
- d. * **BILL** – Levying a special tax for the property tax year 2003-2004 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 85, Parcel Map No. 03-24
Action Taken:

10:15 A.M. **CONTINUED HEARING** to consider the adoption of a resolution to vacate a portion of N. Marks Avenue south of Freeway 99 and authorizing and directing the Public Works Director to execute quitclaim deeds so that fee title to the vacated areas shall pass to Central Valley RV Outlet – Public Works Dept.

Action Taken:

- a. * **RESOLUTION** – Ordering the vacation of a portion of N. Marks Avenue south of Freeway 99 and authorizing and directing the Public Works Director of the City to execute quitclaim deeds so that fee title to the vacated areas shall pass to Central Valley RV Outlet
Action Taken:

10:30 A.M. Presentation of check by PG&E for the Municipal Service Center Solar Energy Project – General Services Dept.

Action Taken:

10:45 A.M. * **RESOLUTION** – 428th amendment to MFS Resolution No. 80-420 to modify the fire inspection fees under the Fire Department Section – Fire Dept.

Action Taken:

2:00 P.M. #1

CONTESTED CONSENT CALENDAR

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

2:00 P.M.#2 CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9, subdivision (a)

1. **Case Name:** City of Fresno v. Garfield Park Highlands, et al. L.P.

Action Taken:

B. CONFERENCE WITH LABOR NEGOTIATOR – Government Code Section 54957.6,

City Negotiator(s): Jon Ruiz and Daniel Hobbs

Employee Organization(s):

1. International Union of Operating Engineers, Stationary Engineers (Local 39)

Action Taken:

2:00 P.M.#3 JOINT CLOSED SESSION WITH THE REDEVELOPMENT AGENCY

C. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9, subdivision (a)

1. **Case Name:** Heritage Fresno, Friends of Armenian Town v. Redevelopment Agency of the City of Fresno; Fresno Superior Court No. 05CECG00012

Action Taken:

2:00 P.M.#4 CLOSED SESSION ANNOUNCEMENTS (IF ANY)

4:30 P.M. CONTINUE HEARING to consider Fresno City Planning Commission decision regarding Conditional Use Permit (CUP) Application No. C-02-226, and environmental findings, filed by Wilkins Enterprises – Planning and Development Dept. ***(Requests to continue to 4/19/2005 @ 4:30 p.m.)***

Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS

Feb.	15 -	10:00 A.M.	HEARING re: CFD No. 2, Annexation No. 86, Final Tract Map No. 5265
Feb.	15 -	10:05 A.M.	HEARING re: CFD No. 2, Annexation No. 87, Final Tract Map No. 5259
Feb.	15 -	10:10 A.M.	HEARING re: CFD No. 2, Annexation No. 89, Final Tract Map No. 4544
Feb.	15 -	10:15 A.M.	HEARING to consider resolution of public use and necessity for the acquisition of permanent easements and rights of way for public street purposes from the following parcels of real property located on East Shaw Avenue at the intersection of First Street in the City of Fresno:
Feb.	15 -	10:30 A.M.	Empowerment update
Feb.	22 -	NO MEETING – PRESIDENT’S DAY	
Mar.	1 -	10:00 A.M.	HEARING re: CFD No. 2, Annexation No. 79, Final Tract Map No. 5321
Mar.	1 -	To be set	WORKSHOP to consider implementation and use of traffic signal fees and implementation of new Community Facilities District (CFD) – Councilmember Dages
Mar.	1 -	4:00 P.M.	Trimester Plans
April	19 -	4:30 P.M.	CONTINUE HEARING to consider Fresno City Planning Commission decision regarding Conditional Use Permit (CUP) Application No. C-02-226, and environmental findings, filed by Wilkins Enterprises
April	26 -	NO MEETING – COUNCIL BREAK	

(Future workshops – dates to be determined)

(June) WORKSHOP – Follow-up discussion regarding Caltrans discussion held 12/7/2004

WORKSHOP – Urban Forest